

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - April 16, 1969

Appeal No. 10004 Britton Arrington, et ux, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 23, 1969.

EFFECTIVE DATE OF ORDER - July 1, 1969

ORDERED:

That the appeal for variance to permit play area for pre-school group adjoining lot 801 and amend BZA Order 9853 to permit 75 children at 3039-43 Vista Street, NE., lots 800, 801, Square 4436, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The property is improved with a single-family detached frame dwelling.
3. Appellant proposes to use Lot 801 in connection with Lot 800, which is the adjoining property, for the purpose of providing additional play area for the pre-school granted in BZA Appeal No. 9853.
4. Lot 801 has a rear area measuring 5120 sq. ft. Lot 800 has a play area measuring 5000 sq. ft.
5. Appellant requests that the Board's Order in Appeal No. 9853 be incorporated in this Order and that 9853 be amended to permit 75 children.
6. Appellant asserts that an addition is to be made to the existing structure at 3043 Vista Street to accommodate no more than 75 children.

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7. Appellant is the owner of both lots 800 and 801.

8. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.


This Order shall be subject to the following conditions:

- (a) The proposed addition is limited to 26 by 52 ft. with no space between the existing dwelling and the new addition.
- (b) The new addition shall maintain the architectural character of surrounding properties (to be residential in appearance).
- (c) There shall be no more than 75 children.
- (d) BZA Appeal No. 9853 is incorporated and made part of this appeal.
- (e) Permit shall issue for a period of one (1) year.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:



CHARLES E. MORGAN
Secretary of the Board